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OFFICE OF PETITIONS

In re Application of
Landvater
Application No. 09/899,593
Filed: July 5, 2001
Attorney Docket No. B06521-00007

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on September 28, 2007, to revive the above-identified application.

This application became abandoned for failure to timely respond to the final Office action mailed August 2, 2006, which set an extendable three month period for reply. Petitioner obtained a three month extension of time and filed an amendment on September 2, 2007. The amendment failed to place this application in *prima facie* condition for allowance, as was explained in the February 9, 2007 Advisory Action. Therefore, the application became abandoned on February 3, 2007.

Applicant has submitted a RCE and required \$790.00 fee and request to use the February 2, 2007 amendment as his submission in reply to the August 2, 2006 final Office action, a proper statement of the unintentional nature of the delay in responding to the August 2, 2006 final Office action, and the \$1,500.00 petition fee.

The petition is **GRANTED**.

After the mailing of this decision the application will be forwarded to Technology Center AU 3623 for consideration of the RCE filed on February 26, 2007.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3230.

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